



RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIR's](#) | [Help](#)

19 September 2003

PHL41911.E

Philippines: Information on the *barangay* and on its leaders, their level of authority and their decision-making powers (1990-2003)

Research Directorate, Immigration and Refugee Board, Ottawa

A Cultural Attache of the Embassy of the Philippines provided the attached excerpt from the 1991 Local Government Code of the Philippines, herein after referred to as the code, which describes the role of the *barangay* and that of its officials.

As a community-level political unit, the *barangay* is the planning and implementing unit of government policies and activities, providing a forum for community input and a means to resolve disputes (Republic of the Philippines 1991, Sec. 384). According to section 386 of the code, a *barangay* can have jurisdiction over a territory of no less than 2,000 people, except in urban centres such as Metro Manila where there must be at least 5,000 residents (*ibid.*).

Elected for a term of five years (*ibid.* 14 Feb. 1998, Sec. 43c; see the attached Republic Act No. 8524, Sec. 43), the chief executive of the *barangay*, or *punong barangay* enforces the law and oversees the legislative body of the *barangay* government (*ibid.* 1991, Sec. 389). Please consult Chapter 3, section 389 of the code for a complete description of the roles and responsibilities of the *punong barangay*. In addition to the chief executive, there are seven legislative, or *sangguniang*, body members, a youth council, *sangguniang kabataan*, chairman, a treasurer and a secretary (*ibid.*, Sec. 387).

With respect to dispute resolution, the *lupong tagapamayapa* (Embassy 17 Sept. 2003), or council of mediators in any given *barangay*, have the authority to settle "all disputes" except the ones outlined in section 408 of the code (*ibid.*, Sec. 408). For example, section 408c states that mediators are not entitled to settle "offences punishable by imprisonment exceeding one (1) year or a fine exceeding five thousand pesos" (US\$90.79 *xe.com* 2003) (*ibid.*). Section 410 of the code outlines the procedure and timing for settling disputes, section 411 outlines the form settlements should take and section 412 describes the conciliation process (*ibid.*). According to section 412, the only circumstances under which individuals may submit their complaints directly to a court are when a confrontation has taken place before the *lupon* chairman or the panel of conciliators and no settlement agreement is made, or when the parties reject the settlement given by the authorities (*ibid.*).

No information on where *barangay* leaders work, or on whether decisions made by the council of mediators are usually respected, could be found among the sources consulted by the Research Directorate.

The complete government code, including subsequent amendments, are available on the Chan Robles Virtual Law Library Website at <<http://www.chanrobles.com/localgov.htm#THE%20LOCAL%20GOVERNMENT%20CODE%20OF%20THE%20PHILIPPINES>>.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References

Embassy of the Republic of the Philippines. 17 September 2003. Correspondence sent by the Cultural Attache.

Republic of the Philippines. 14 February 1998. Republic Act No. 8524. An Act Changing the Term of Office of Barangay Officials and Members of the Sangguniang Kabataan from Three (3) Years to Five (5) Years, Amending for the Purpose Section 43 of Republic Act Numbered Seven Thousand One Hundred Sixty, Otherwise Known as the Local Government Code of 1991, and for Other Purposes: Book I. General Provisions. Title One - Basic Principles. <<http://www.chanrobles.com/republicactno8524.htm>> [Accessed 12 Sept. 2003]

_____. 1991. The Local Government Code of the Philippines, Republic Act No. 7160, Sections 384-439. "Book III. Local Government Units. Title One - The Barangay."

Xe.com. 2003. "The Universal Currency Converter." <<http://www.xe.com/ucc/>> [Accessed 12 Sept. 2003]

Attachments

Embassy of the Philippines, Ottawa. 17 September 2003. Correspondence sent by the Cultural Attache.

Republic of the Philippines. 1991. The Local Government Code of the Philippines, Republic Act No. 7160: Book III. Local Government Units. Title One - The Barangay. Sections 384-439.

The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.